

# **Arizona State Board of Acupuncture Examiners**

## **REGULAR MEETING**

**March 24, 2004**

### **BOARD MEMBERS PRESENT:**

Deborah Malone, Chairman  
Yong Deng, Professional Member (arrived 1:07 pm)  
Martha Grout, MD, MD(H), Professional Member  
Joan Heskett, Public Member  
Syretta McNeal, Public Member (arrived 1:07 pm)  
Don Nichols, Public Member  
Dana Price, L. Ac. Professional Member

### **BOARD MEMBERS ABSENT:**

Janice Benjamin, Secretary

### **ATTORNEY GENERAL REPRESENTATIVE:**

Terrie Zenoff, Assistant Attorney General

### **ADMINISTRATIVE STAFF:**

Christine Springer, Board Assistant

### **I. Call To Order and Introduction of New Board Member**

Chairman Malone called the meeting to order at 1:00 p.m. Dr. Quintana was not present at this meeting.

### **II. Review, discuss, and vote – Regular Meeting Minutes**

Minutes of the regular meeting held February 25, 2004 were moved and seconded by Dr. Grout and Mrs. Price. Motion carried with a majority vote. (Nichols abstain).

Minutes of the executive session held February 25, 2004 were moved and seconded by Dr. Grout and Mrs. Price. Motion carried with a majority vote. (Nichols abstain).

### **III. Report form Personnel Committee**

1. Mrs. Price explained to the rest of the Board that the executive director candidate that had been selected at the last board meeting did not accept the position. The position will be reposted. She also noted that one of the previous finalists was still interested in the position and she requested that Ms. Springer contact the candidate and inform her that she would be interviewed with finalists selected from the new posting.
2. President Malone stated that Mrs. Benjamin had verbally contacted her and had indicated that scheduling conflicts would force her to resign from the board. Mrs. Malone asked for a volunteer to serve in Mrs. Benjamin's place on the Personnel Committee. Mrs. Joan Heskett agreed to serve on the committee.

#### **IV. Complaints/Investigation – Review, Discuss and Vote**

##### ***New Complaints***

##### **L-2004-01 Reginald Stout L.Ac. (Referral by Chiropractic Board)**

The Board discussed the information provided by the insurance company and Mr. Stout's response. Mr. Nichols stated that he did not believe Mr. Stout violated the practice act, however, it appeared that he did indicate an incorrect CPT code on the bills submitted to the insurance company. Dr. Deng stated that there were no standard CPT codes to use when indicating acupuncture services. Dr. Grout made a motion dismissing the complaint with no violation of the acupuncture rules and statutes. Mrs. Malone seconded the motion that passed unanimously.

##### **L-2004-02 Paul Sweeney L.Ac. (Complaint by Libert Mutual Insurance)**

The Board discussed the number of treatments provided to the patient regarding the complaint. They noted that a course of treatment is typically 10 treatments with at least 30 treatments needed for maximum benefit. The number of treatments did not appear to violate acupuncture standards. Mrs. Price made a motion to dismiss the complaint with no violation. Dr. Grout seconded the motion that passed unanimously.

#### **V. Consideration of Candidates for licensure – Discussion and Vote**

##### ***Acupuncture Licenses***

Gabrielle Rubin's application was not complete and was deferred to give the applicant time to complete the required documentation relating the certification from NCCAOM.

Mr. Nichols made a motion approving Monica Behling's application. Dr. Grout seconded the motion that passed unanimously.

The application submitted by Mary Laney was considered. Mr. Nichols made a motion approving the application. Motion seconded by Dr. Deng and passed unanimously.

An application submitted by Staci Crowther was considered and a motion was made by Mrs. Heskett to approve the application. Mr. Nichols seconded the motion that passed unanimously.

Dr. Grout made a motion approving the application submitted by Linda Forslund. Mr. Nichols seconded the motion that passed unanimously. The motion passed unanimously.

An application submitted by Melanie Meyes was considered. Mr. Nichols made a motion approving the application. Dr. Deng seconded the motion that passed unanimously.

Mr. Nichols made a motion approving Alissa Polen's application. His motion seconded by Ms. O'Neal and passed unanimously.

**VI. Professional Business**

- a. President Malone presented a brief overview of the correspondence from NCCAOM regarding revised certification criteria for new candidates. She stated that the NCCAOM requirements will exceed Arizona's overall training requirement of 1875 hours. However, Arizona will exceed NCCAOM's recommended clinical hour requirement (Arizona requires completion of 800 clinical hours) She noted the April FAOMRA meeting to be held in Hollywood, California will provide additional information on these changes.
- b. President Malone asked for a volunteer to serve in Mrs. Benjamin's position as board secretary. Dr. Grout agreed to serve as the board's interim secretary.
- c. Mr. Frank Cherrito requested an exemption from completing continuing education pursuant to AAC R4-8-206. The Board discussed the status of his health and reviewed the information from Mr. Cherrito's physician. Dr. Grout made a motion granting the request. Mrs. Heskett seconded the motion that passed unanimously. Mr. Cherrito is granted a one year exemption, but must pay the applicable renewal fee to maintain his license.
- d. Discussion of an inactive license status. The Board agreed that legislation would be required to create an inactive status license option.
- e. President Malone moved to approve continuing education sponsored by Honso USA. Dr. Deng seconded the motion. During discussion Ms. O'Neal inquired about the 90 day rule that requires continuing education units be approved 90 days before a scheduled meeting date. Mrs. Price amended the motion and stated she would approve the course pending receipt of a course rating form that would be given to meeting participants to rate the course content and instructor(s). Motion seconded by Dr. Deng and passed with a majority vote. Mr. Nichols opposed.
- f. Mrs. Heskett and Mrs. Price agreed to serve on the Personnel Committee. Mrs. Price, Ms. O'Neal agreed to serve on the Legislative/Rules Committee. The Board also discussed whether a Finance Committee was needed but did not appoint members.

**VII. Executive Director Report**

She also updated the board with the current revenue and expenditure figures. Revenues had been projected at \$92,000. The board has collected approximately \$70,251 as of February 29, 2004. The Board has expended \$28,374.96 or 37.68% of the total appropriation of \$75,300.

**VIII. Call to the Public**

No members of the public addressed the board.

**IX. Future Agenda Items**

Chairman Malone asked that a future agenda include a report from the Legislative/Rules Committee. The report should include a recommendation about an inactive license status.

**X. ADJOURNMENT**

Mr. Nichols moved to adjourn the meeting at 2:10 p.m. Ms. O'Neal seconded the motion that passed unanimously. The **next meeting** of the Board will convene at the Occupational Licensing Building, 1400 W. Washington, Basement Conference Room B-1, Phoenix, Arizona, 1:00 PM, on **April 28, 2004**

Respectfully Submitted,

Christine Springer  
Board Assistant